



City of Seattle

Gregory J. Nickels, Mayor
Department of Planning and Development
D. M. Sugimura, Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR OF
THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

Application Number: 2405611
Applicant Name: Tyler Goodmanson
Address of Proposal: 1416 25th Avenue

SUMMARY OF PROPOSED ACTION

Master Use Permit to subdivide one parcel into four (4) lots (Unit Lot Subdivision). Proposed lot sizes are: A) 1,771.5 square feet, B) 1,772.3 square feet, C) 2,071.5 square feet, and D) 2,071.8 square feet. Related project: establish use and construct two two-unit townhouse structures, MUP No. 2400538.

The following approval is required:

Short Subdivision - to subdivide one existing parcel into four lots, a unit subdivision. (Chapter 23.24.046, Seattle Municipal Code).

SEPA DETERMINATION: ☒ Exempt ☐ DNS ☐ MDNS ☐ EIS
☐ DNS with conditions
☐ DNS involving non-exempt grading, or demolition, or involving another agency with jurisdiction.

BACKGROUND

Site and Vicinity Description

The approximately 7,687 square foot property is located on the east side of 25th Avenue between East Pine and East Union Streets. Pedestrian and vehicle access to the site is from 25th Avenue. There is no alley access.

The subject lot is zoned Lowrise 2 (L-2) as are the lots on this block face extending between East Pine and East Union Streets. To the east and behind the subject lot the zoning is Single Family 5000 (SF 5000). Directly across 25th Avenue the zoning is also L-2. Across 25th Avenue and to the south the zoning is Neighborhood Commercial 2-40 (NC 2-40)

Proposal

The proposal is to subdivide one lot into four (4) unit lots. The parent lot is 7,687 square feet in area. The proposed lot sizes are: A) 1,771.5 square feet, B) 1,772.3 square feet, C) 2,071.5 square feet, and D) 2,071.8 square feet. Vehicle and pedestrian access for all proposed unit lots will be from 25th Avenue through an on-site access easement extending from this street eastward across proposed Unit Lots A and B to an interior auto court comprised of easements from all proposed unit lots. The new structures containing all proposed unit lots have been reviewed and approved for applicable code compliance under MUP No. 2400538.

Public Comments

The comment period for this proposal ended on September 8, 2004. No comments were received.

ANALYSIS - SHORT SUBDIVISION

Pursuant to SMC 23.24.040, no short plat shall be approved unless all of the following facts and conditions are found to exist:

1. *Conformance to the applicable Land Use Code provisions;*
2. *Adequacy of access for vehicles, utilities, and fire protection, as provided in Section 23.53.005;*
3. *Adequacy of drainage, water supply, and sanitary sewage disposal;*
4. *Whether the public use and interests are served by permitting the proposed division of land;*
5. *Conformance to the applicable provisions of SMC Section 25.09.240, short subdivision and subdivisions, in environmentally critical areas;*
6. *Is designed to maximize the retention of existing tree;*
7. *Conformance to the provisions of Section 23.24.045, Unit lot subdivisions, when the short subdivision is for the purpose of creating separate lots of record for the construction and/or transfer of title of townhouses, cottage housing, clustered housing, or single-family housing.*

Based on information provided by the applicant, referral comments from the Building Plans Examiner, the Drainage Section, the Fire Department, Seattle Public Utilities, City Light; and review by the Land Use Planner, the following findings are made with respect to the above-cited criteria:

1. *Conformance to the applicable Land Use Code provisions;*

The subject property is zoned Multi-Family Lowrise 2 (L-2) and all development must conform to the requirements of the applicable provisions of the Seattle Municipal Code (SMC). These provisions include, but are not limited to, setback, lot coverage, building height, usable open space, landscaping, and parking requirements. The establishment of use for the townhouses and

their construction was reviewed under these provisions and approved under MUP No. 2400538.

The allowable density of the L-2 portion of the property is one dwelling unit per twelve hundred (1,200) square feet of lot area. The lot area is approximately 7,687 square feet, hence six (6) townhouse units are allowed. Maximum lot coverage is fifty (50) percent for townhouse units (SMC 23.45.010.A.1). Total lot coverage of the proposed townhouse and duplex structure were reviewed for conformance with this requirement and approved under MUP No. 2400538. Required parking for all units is provided on site and is accessed from 25th Avenue. Pedestrian access to all units is as described in *Site and Vicinity Description* above. Building set-backs, height limitations, and the provision of open space were reviewed for conformance to the development codes for this zone and were approved under the above-mentioned MUP.

2. *Adequacy of access for vehicles, utilities, and fire protection, as provided in Section 23.53.005;*

Vehicle access for all units is provided as described in *Criterion 1* above.

All utilities are available in this area. Seattle City Light provides electrical service to the proposed short plat. City Light has reviewed the proposal and requires an easement (#250433-1-015) to provide for electrical facilities and service to the proposed lots, which must be included on the final plat.

The Seattle Fire Department has reviewed and approved the proposed unit lot subdivision for the provision of adequate emergency vehicle and personnel access.

All proposed Unit Lots will be addressed from 25th Avenue. To assure adequate address identification of proposed Unit Lots C and D, address signage for these Unit Lots shall be posted at a location visible from 25th Avenue on or near the proposed vehicular and pedestrian access easement. A covenant and/or easement shall be recorded with the final plat to ensure that the address signage is provided and maintained by all users.

3. *Adequacy of drainage, water supply, and sanitary sewage disposal;*

Review for drainage and sanitary sewage disposal indicates these services are adequately provided for this unit lot subdivision.

Seattle Public Utilities has reviewed this proposal and assures water availability access for all parcels. Each legal parcel must have its own water meter. At the time of application for individual parcel water service, an easement or easements may be required for service mains. (See Water Availability Certificate # 20041180).

4. *Whether the public use and interests are served by permitting the proposed division of land;*

Unit Lot Subdivision allows for the subdivision of common wall (attached) ground related townhouse structures and residential cluster developments amongst other housing types. Ground related townhouse structures are allowed outright in the L-2 zone. This process

therefore makes possible separate ownership of individual units that otherwise would be owned by one party and consequently some or all unit lots would be available on a shared ownership or rental basis only.

The proposed unit lot subdivision meets the minimum provisions of the Seattle Land Use Code for L-2 development regulations and the applicable approval criteria for short platting.

The public use and interests are thereby served by permitting the proposed division of land.

5. *Conformance to the applicable provisions of SMC Section 25.09.240, short subdivision and subdivisions, in environmentally critical areas;*

This site is not located in any environmentally critical area as defined in SMC 25.09.240, therefore this criterion does not apply.

6. *Is designed to maximize the retention of existing trees;*

As a part of approval for the construction of the duplex structures (MUP 2400538) SMC 23.45.015 required either the preservation of existing trees or planting of trees on the parent lot. This Unit Lot Subdivision will not affect these trees.

7. *Conformance to the provisions of Section 23.24.045, Unit lot subdivisions, when the short subdivision is for the purpose of creating separate lots of record for the construction and/or transfer of title of townhouses, cottage housing, clustered housing, or single-family housing.*

Two townhouse structures were approved under MUP 2400538. Pursuant to SMC 23.24.045(A and B), sites developed or proposed to be developed with townhouses, cottage housing, clustered housing, or single-family housing may be subdivided into individual nonconforming unit parcels if development as a whole on the parent lot meets applicable Land Use Code development standards at the time of approval. To assure that future owners have constructive notice that additional development may be limited due to nonconformities the following statement shall be required to be included as a note on the final short subdivision: *The unit lots shown on this site are not separate buildable lots. Additional development on any individual unit lot in this subdivision may be limited because of the application of development standards to the parent lot pursuant to applicable provisions of the Seattle Land Use Code, Chapter 23 of the Seattle Municipal Code.*

Summary

The proposed Unit Lot Subdivision meets the criteria of SMC 23.24.040 and 045, Short Plats and Unit Lot Subdivisions. Pursuant to the above discussion and the following conditions, it is thereby approved.

DECISION - SHORT SUBDIVISION

The proposed Short Subdivision is **CONDITIONALLY GRANTED**.

CONDITIONS - SHORT SUBDIVISION

Conditions of Approval Prior to Recording

The owner(s) and/or responsible party(s) shall:

1. Submit the corrected final recording forms for approval and any necessary fees.
2. Insert the following on the face of the plat: "The unit lots shown on this site are not separate buildable lots. Additional development on any individual unit lot in this subdivision may be limited as a result of the application of development standards to the parent lot pursuant to applicable provisions of the Seattle Land Use Code, Chapter 23 of the Seattle Municipal Code."
3. Include the utility easement from Seattle City Light on the face of the plat and in the legal descriptions of affected Unit Lots.
4. Record any future required utility easement from Seattle Public Utilities (Water Department) with affected Unit Lots.
5. Provide a covenant or easement assuring the posting of address signage for Unit Lots C and D on or near the vehicle and pedestrian access easement and visible from the street. Show this location on the face of the plat.
6. Provide a joint maintenance and responsibility agreement for maintenance and use of shared walls on property lines and integrated building elements, such as roofs, exterior walls and shared private utility infrastructure.

Signature: (signature on file) Date: December 16, 2004
Art Pederson, Land Use Planner
Department of Planning and Development
Land Use Services